

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Antoni TORRENS JOVER, et al.

SERIAL NUMBER: 10/566,402

ATTN: APPLICATION BRANCH

FILING DATE: January 30, 2006

FOR: ACTIVE SUBSTANCE COMBINATION COMPRISING A COMPOUND WITH NPY
RECEPTOR AFFINITY AND A COMPOUND WITH 5-HT6 RECEPTOR AFFINITY

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated May 8, 2006, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

The Declaration enclosed herewith contains the Title of the Invention and Inventor(s) name(s) and is believed, in combination with the application serial number and filing date contained in this cover letter, to adequately identify the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP Section 601.01.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Charles J. Andres Jr., Ph.D.

Registration No. 57,537

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Declaration, Power of Attorney and Petition

Page 1 of 3

WE (I) the undersigned inventor(s), hereby declare(s) that:

Laboratorios del Dr. ESTEVE S. A.

My residence, post office address and citizenship are as stated below next to my name,

Av. de Mare de Déu de Montserrat, 221; E-08041 Barcelona, SPAIN

We (I) believe that we are (I am) the original, first and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"Active substance combination comprising a compound with NPY receptor affinity and a compound with 5-HT6-receptor affinity"

The specification of which

is attached hereto.

☐ was filed on _____ as
Application Serial No. _____
and amended on _____
was filed as PCT international application
Number PCT/EP2004/008514
on July 29, 2004,
and was amended under PCT Article 19
on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
<u>P 2003 01815</u>	<u>SPAIN</u>	<u>July 30, 2003</u>	X Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

10/01

We (I) hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
_____	_____	_____
_____	_____	_____
_____	_____	_____

And we (I) hereby appoint the following registered practitioner(s):


 22850

as our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to


 22850


We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

TORRENS JOVER, Antoni
NAME OF FIRST SOLE INVENTOR

X 
Signature of Inventor


X March 1, 2006
Date

MAS PRIO, Josep
NAME OF SECOND JOINT INVENTOR

X 
Signature of Inventor


X March 1, 2006
Date

DORDAL ZUERAS, Alberto
NAME OF THIRD JOINT INVENTOR

X 
Signature of Inventor

X March 1, 2006
Date

CODONY SOLER, Xavier
NAME OF FOURTH JOINT INVENTOR

X 
Signature of Inventor

X March 1, 2006
Date

Residence: **C/Racó 8, 2° 2a**
E-08221 Terrasa (Barcelona)

SPAIN

Citizen of: **SPAIN**

Mailing Address: same as above

Residence: **C/Cal Princep, 39**

E-08191 Rubi (Barcelona)

SPAIN

Citizen of: **SPAIN**

Mailing Address: Same as above

Residence: **C/Maladeta 26, 3°3a**

E-08016 Barcelona

SPAIN

Citizen of: **SPAIN**

Mailing Address: Same as above

Residence: **C/Lepanto 71-77 2°1a**

E-08301 Mataro (Barcelona)

SPAIN

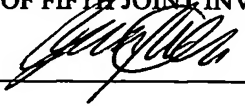
Citizen of: **SPAIN**

Mailing Address: Same as above

MERCE VIDAL, Ramon

NAME OF FIFTH JOINT INVENTOR

X



Signature of Inventor

X

March 1, 2006

Date

CASTRILLO PEREZ, Jose-Aurelio

NAME OF FIFTH JOINT INVENTOR

X



Signature of Inventor

X

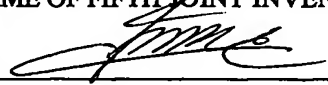
March 1, 2006

Date

FRIGOLA CONSTANSA, Jordi

NAME OF FIFTH JOINT INVENTOR

X



Signature of Inventor

X

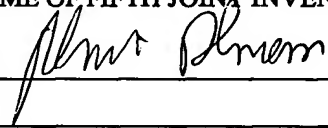
March 4, 2006

Date

BUSCHMANN, Helmut-Heinrich

NAME OF FIFTH JOINT INVENTOR

X



Signature of Inventor

X

March 1, 2006

Date

Residence: **C/Casanova 264 4°1a**

E-08021 Barcelona

SPAIN

Citizen of: **SPAIN**

Mailing Address: **Same as above**

Residence: **C/Peris Mencheta n°35 4°1a**

E-08032 Barcelona

SPAIN

Citizen of: **SPAIN**

Mailing Address: **Same as above**

Residence: **C/Cami de Can Candeler 9-B-3-1**

E-08960 San Just Desvern (Barcelona)

SPAIN

Citizen of: **SPAIN**

Mailing Address: **Same as above**

Residence: **Carrer Est N°24**

E-08950 Esplugues de Llobregat (Barcelona)

SPAIN

Citizen of: **SPAIN**

Mailing Address: **Same as above**